

The Little Traverse Bay Bands of Odawa Indians
Tribal Council
April 6, 2003
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:43 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Janet Shomin

Council Absent: none

Staff Present: See Attached list

Guests: See attached list

Motion made by Vice-Chairman George Anthony and supported by Councilor Fred Harrington, Jr. to adopt the agenda for April 6, 2003.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Fred Harrington, Jr. that we approve the minutes of March 16, 2003.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to enter into the record the phone poll dated March 3, 2003 to authorize the making of offers and purchase of the parcels as described in correspondence faxed Tuesday March 19, 2003 with total purchase price not to exceed \$800,000 with authorization of Tribal Chairman to sign. The phone poll passed.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to enter into the record the phone poll dated March 19, 2003 to authorize Rehmann Robson to perform the year ending December 31, 2002 audit at a cost of \$25,250 and authorize the Tribal Chairman to sign.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Vice-Chairman George Anthony to accept the Tribal Administrator's verbal and written report.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to approve the hot lunch and budget option for the LTBB Community meeting meal for

300 people and additional costs for the beverages not to exceed \$3,570, to come from Casino Revenue-Government Operations, other line item.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice Law to approve the indirect cost proposal submitted by Moss Adams LLP firm not to exceed \$6,000 and authorize the Tribal Administrator to sign.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman George Anthony to direct the Tribal Administrator to utilize all resources necessary to complete the National Indian Gaming Association Survey by April 30, 2003 and forward a copy to Tribal Council, and authorize the Tribal Chairman to sign.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice Law and supported by Vice-Chairman George Anthony to approve the cost increase to the existing contract with F.E. Martin Builders on Beaver Island to support the extension of the dock and associated work described in the proposal dated January 16, 2003 not to exceed the total costs of \$46,695 and authorize the Tribal Chairman to sign proposal. Funding to come from the Great Lakes Fisheries Trust Fund.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Vice-Chairman George Anthony to accept the Tribal Chairman's verbal and written report for April 6, 2003.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Councilor Rita Shananaquet to prohibit entering into any construction projects totaling greater than \$500,000 without first identifying by Tribal Council motion, a project manager or method of project management.

Vote: 7 Yes, 0 No, Absent, Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to contract for a maximum of \$2,950,000 the renovation of Victories Hotel with CCI providing CCI place \$200,000 in an escrow account established by LTBB Legal Department to be returned upon satisfactory completion of the project and \$800,000 will be withheld until all relevant inspections are met satisfactorily and authorize the Chairman to sign and further authorize the Casino General Manager to act as the project manager.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Recess called at 11:30 a.m.

Meeting reconvened at 11:38 a.m.

Public comment opens at 11:52 a.m., Gaila Carpenter, Rosemary Knapp, Andrew Stich
Public comment closed at 11:56 a.m.
Lunch recess called at 12:10 p.m. until 1:40 p.m.
Meeting reconvened at 1:47 p.m.

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to appoint Kevin Schlappi to the Housing Commission.
Vote: 4 Yes, 0 No, 3 Absent (Councilor Fred Harrington, Jr. Treasurer Alice Yellowbank, Secretary Beatrice Law), 0 Abstained
Motion carried

Motion made by Secretary Beatrice Law and supported by Vice-Chairman George Anthony to authorize the Tribal Chairman to sign the articulation agreement as entered into by Ferris State University a Michigan constitutionally-created public institution of higher education located in Big Rapids, Michigan (hereinafter "Ferris") and the Little Traverse Bay Bands of Odawa Indians of Harbor Springs, MI (Hereinafter the LTBB") on this 6th day of April, 2003.
Vote: 5 Yes, 2 No (Councilor Rita Shananaquet , Councilor Janet Shomin), 0 Absent, 0 Abstained
Motion carried

Motion made by Secretary Beatrice Law and supported by Treasurer Alice Yellowbank to put on the next Legislative calendar the Corporation Code Statute
Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion carried

Motion made by Secretary Beatrice Law and supported by Treasurer Alice Yellowbank to authorize the Tribal Chairman to sign the Little Traverse Bay Bands of Odawa Indians Natural Resource Commission Resolution #031203-01.
Motion withdrawn

Motion made by Secretary Beatrice Law and supported by Treasurer Alice Yellowbank to authorize the Tribal Chairman to sign Resolution #040603-01 Requesting Funding from the Administration for Native Americans for the Development of the Little Traverse Bay Bands of Odawa Indians Fisheries Enhancement Program.
Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Roll call: Vice-Chairman George Anthony-yes, Tribal Chairman Gerald V. Chingwa-yes, Councilor Fred Harrington, Jr.-yes, Secretary Beatrice Law-yes, Councilor Rita Shananaquet-yes, Councilor Janet Shomin-yes, Treasurer Alice Yellowbank-yes,
Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice Law to adopt Resolution 040603-02 Honoring Hopi Nation Ogichidaa Pfc. Lori Ann Piestewa, 507th Maintenance Company.
Roll call: Vice-Chairman George Anthony-yes, Tribal Chairman Gerald V. Chingwa-yes, Councilor Fred Harrington, Jr.-yes, Secretary Beatrice Law-yes, Councilor Rita Shananaquet-yes, Treasurer Alice Yellowbank-yes, Councilor Janet Shomin-yes.
Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion carried

Motion made by Secretary Beatrice Law and supported by Vice-Chairman George Anthony to extend the Chief Judge's compensation agreement for the duration of the

term, (ie: April 21, 2003) or until the new Constitution is passed and authorizes the Tribal Chairman to sign.

Vote: 3 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Absent, 2 Abstained (Councilor Fred Harrington, Jr. Treasurer Alice Yellowbank)

Motion carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman George Anthony to approve enrollment List "A" Eligible for Membership dated March 20, 2003

Vote: 5 Yes, 2 No (Tribal Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to approve Enrollment List "B" Declination (in-eligible) dated March 20, 2003

Vote: 5 Yes, 2 No (Tribal Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to approve Enrollment List "C" Ineligible (Lack of documentation) dated March 20, 2003

Vote: 5 Yes, 2 No (Tribal Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion carried

Motion made by Secretary Beatrice Law and supported by Vice-Chairman George Anthony to approve list D – Ineligible (lack of documentation) dated March 20, 2003.

Vote: 3 Yes, 4 No (Councilor Rita Shananaquet Councilor, Fred Harrington, Jr. Vice-Chairman George Anthony, Tribal Chairman Gerald V. Chingwa), 0 Absent, 0 Abstained

Motion failed

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet to allow Inter-Tribal Council to purchase from Little Traverse Bay Bands of Odawa Indians a Tribal Flag.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Councilor Rita Shananaquet to approve a donation of \$500 from the Enterprise Fund, donations line item for Cancer Relay for Life, 24 hour walk requested by Rosemary Knapp and further authorize Rosemary to have a table at the Community Meeting and further authorize Rosemary to borrow a Tribal Flag for the walk.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to place the Michelle Chingwa Education Assistant Act sponsored by Fred Harrington, Jr. on the Legislative agenda.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to place the Taimi Hoag Environmental Preservation Act sponsored by Fred Harrington, Jr. on the Legislative agenda.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Treasurer Alice Yellowbank to place the Employee Bill of Rights sponsored by Fred Harrington, Jr. on the Legislative agenda.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to approve Little Traverse Bay Bands of Odawa Indians Travel Report Policy.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Fred Harrington, Jr. and supported by Secretary Beatrice Law to approve Inter-Tribal Council of Michigan, Inc. Resolution #03-0319 approving the renewal of the Child Welfare Assistant Grant.

Roll call: Vice-Chairman George Anthony-yes, Councilor Rita Shananaquet-no, Treasurer Alice Yellowbank-yes, Councilor Janet Shomin-no, Secretary Beatrice Law-yes, Councilor Fred Harrington, Jr.-yes, Tribal Chairman Gerald V. Chingwa-yes.

Motion carried

Recess called at: 3:18 p.m.

Meeting reconvened at 3:28 p.m.

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to allow Tribal Council to attend the special meeting with the U.S. Attorney's office.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Janet Shomin), 0 abstained

Motion carried

Motion made by Secretary Beatrice Law and supported by Vice-Chairman George Anthony for Tribal Council to attend the 2004 Budget work session, April 11, 2003.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Public comment open at: 3:42 p.m.

Public comment closes at: 3:43 p.m.

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to go into Executive Session.

Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained

Motion carried

Motion made by Councilor Rita Shananaquet to come out of closed session.

Motion withdrawn

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony to go out of closed session.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet to adjourn.

Vote: 5 Yes, 2 No (Secretary Beatrice Law Treasurer Alice Yellowbank) , 0 Absent, Abstained

Motion carried

These Minutes have been read and approved as written:

Approved:

Beatrice A. Law, Tribal Secretary

Date